

IAP12 Rec'd PCT/PTO 20 SEP 2007,

PATENT
Customer No. 22,852
Attorney Docket No. 10577.0004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Yasuaki ITO et al.) Group Art Unit: Not yet available
Application No.: 10/542,408) Examiner: Not yet assigned
371(c) Date: July 15, 2005)
I.A. Filing Date: January 15, 2004)
For: NOVEL SCREENING METHOD) Confirmation No.: 8596

MAIL STOP SEQUENCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE AND
STATEMENT TO SUPPORT FILING AND SUBMISSION
IN ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825

Applicants are in receipt of the Notification of Defective Response dated August 29, 2007. The Notice indicates that the content of the computer readable form of the Sequence Listing previously submitted does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the marked-up "Raw Sequence Listing" attached with the Notice. The mark-ups indicate that for SEQ ID NOS: 21 and 22, if the sequences are RNA, then <223> cannot contain a deoxy thymidine. However, as shown in the originally filed specification at Example 11, page 138, lines 26-27, SEQ ID NOS: 21 and 22 contain nucleotides found in both DNA and RNA. According to MPEP § 2424.02, "[i]f a nucleotide sequence contains both DNA and RNA fragments, the type

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shall be 'DNA'" for numeric identifier <212>. Therefore, Applicants have corrected <212> and <221> in the attached Substitute Sequence Listing to read "DNA" instead of "RNA." No new matter is added by this change because the DNA/RNA sequences of SEQ ID NOs: 21 and 22 are depicted in the originally filed specification at page 138, lines 26-27, as discussed above.

Applicants herein submit a paper copy of the Substitute Sequence Listing, a computer readable form of the Substitute Sequence Listing, and copy of the Notice. In connection with these submissions, the undersigned hereby states that the content of the paper copy of the Substitute Sequence Listing and the computer-readable form of the Substitute Sequence Listing are the same.

If there is any fee due in connection with this filing, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 19, 2007

By: 
Yuko Soneoka
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